**FILED MAY 13, 2013**

**STATE BAR COURT OF CALIFORNIA**

**HEARING DEPARTMENT - LOS ANGELES**

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| In the Matter of | ) | Case Nos.: **11-O-19168-RAP** |
| | ) | (12-O-12838) |
| **LAWRENCE R. YOUNG,** | ) | |
| | ) | **DECISION AND ORDER OF** |
| **Member No. 38323,** | ) | **INVOLUNTARY INACTIVE** |
| | ) | **ENROLLMENT** |
| A Member of the State Bar. | ) | |
| | ) | |

## Introduction[1]

In this contested disciplinary proceeding, respondent **LAWRENCE R. YOUNG**, is charged in two client matters with six counts of misconduct, consisting of failing to render accounts to a client, accepting fees from a non-client (two counts), failing to return unearned fees, and committing acts involving moral turpitude (two counts).

Having considered the evidence and the parties' arguments, the court finds respondent culpable on five of the six counts. In view of the serious nature of the misconduct and respondent's extensive record of prior discipline, it is recommended that he be disbarred from the practice of law.

## Significant Procedural History

The Office of the Chief Trial Counsel of the State Bar of California (State Bar) filed a Notice of Disciplinary Charges (NDC) on October 17, 2012. Respondent filed a response to the

[1] Unless otherwise indicated, all references to rules refer to the State Bar Rules of Professional Conduct. Furthermore, all statutory references are to the Business and Professions Code, unless otherwise indicated.

NDC on November 7, 2012. On February 13, 2013, the parties submitted a stipulation as to facts and admission of documents. On February 19, 2013, the parties submitted an amended stipulation as to facts and admission of documents.

Trial in this matter was held on February 19, 20, 21, and 22, 2013. The State Bar was represented by Deputy Trial Counsel Katherine Kinsey. Respondent represented himself. The matter was submitted for decision on February 22, 2013.

## Findings of Fact and Conclusions of Law

Respondent was admitted to the practice of law in California on January 5, 1966, and has been a member of the State Bar of California at all times since that date.

### General Facts

On April 27, 2011, the California Supreme Court filed and served an order, in case no. S190815, that required respondent to comply with rule 9.20 of the California Rules of Court (the 9.20 order). Respondent was required to comply with subdivision (a) of rule 9.20 no later than on or about June 26, 2011, and was ordered to comply with subdivision (c) of rule 9.20 no later than on or about July 6, 2011.

Pursuant to rule 9.20, subdivisions (a) and (b), respondent was required to give written notice to all clients in pending matters of his suspension and deliver to all clients being represented in pending matters any papers or other property to which the clients were entitled. Pursuant to rule 9.20, subdivision (a)(4), respondent was required to notify opposing counsel in pending litigation of his suspension and file a copy of the notice with the court before which the litigation was pending, for inclusion in the respective file.

In or about January 2011, respondent employed attorney Paul Peters (Peters) as a contract attorney to work for the Defenders Law Group (DLG). Respondent practiced law under the name DLG and/or the Law Offices of Lawrence R. Young and Associates. Peters was hired in

anticipation of respondent's upcoming six-month actual suspension from the practice of law. Respondent's plan was to substitute Peters as attorney of record on all his active cases prior to the effective date of the Supreme Court order of his upcoming suspension. Respondent believed that by doing so, he would not be obligated pursuant to rule 9.20 to notify clients, courts, or opposing counsel of his suspension.

Once respondent was actually suspended, Peters would be in charge of the DLG and respondent would act as an investigator/administrator for the DLG. According to their arrangement, once respondent was returned to active status from his suspension, respondent would return as the attorney in charge of the DLG and Peters would again work for respondent.

Sometime in February 2011, respondent and Peters met with the office staff of the DLG and discussed respondent's plan to substitute-in Peters in all of respondent's active cases. According to the testimony of respondent's office staff members, they started to notify active clients in writing that Peters was substituting into their case as attorney of record.

On May 11, 2011, Peters filed a use of fictitious name certificate (DBA) with the Los Angeles County Clerk, listing Peters as the registered owner of the DLG. Peters also opened a new business account at the bank for the DLG.

Although the DBA was filed on May 11, 2011, neither respondent nor Peters could place a date on which Peters officially became the attorney in charge of the DLG and respondent starting working for him. Both Peters and respondent agree that Peters took over the DLG prior to the May 11, 2011 filing of the DBA, but they cannot cite an exact date or even the month it occurred.

Peters claimed that he notified all the criminal defendant clients orally that he was substituting in as counsel of record. According to Peters, when respondent was serving his actual suspension, Peters would assign tasks to respondent to perform on cases and monitor his

performance of those tasks. Respondent was not authorized to sign a retainer agreement on behalf of the DLG during his suspension, unless Peters authorized him to do so.

At the time of this arrangement, respondent had been admitted to the practice of law for approximately 45 years. In contrast, Peters, who was allegedly supervising respondent, had been admitted to the practice of law for approximately one and a half years.[2] Consequently, the court finds their purported supervising arrangement to be highly suspect.

**Case No. 11-O-19168 – The Leal Matter**

**Facts**

On or about November 1, 2010, Frankie Leal (Leal) was arrested and incarcerated pending his trial. On November 7, 2010, Leal's mother, Isabel Solis (Solis), employed the DLG to represent her son in his criminal matter. Attorney Andy Mira (Mira) was noted as the supervising attorney in the retainer. On the same date, Solis paid Mira $1,850 in advanced attorney's fees for pre-arraignment legal services in Leal's criminal matter.

On December 7, 2010, the DLG and Mira substituted in as counsel of record in Leal's criminal matter. Shortly thereafter, Mira was no longer employed as an attorney with the DLG. After Mira left the DLG, the Leal matter remained with the DLG.

On January 31, 2011, Leal signed a General Durable Power of Attorney designating Solis to act on his behalf, including legal matters. The General Durable Power of Attorney was needed so that Solis could handle Leal's personal matters, not for his criminal matter.

On or about February 22, 2011, Solis entered into a second retainer agreement with the Law Offices of Lawrence R. Young and Associates, retaining respondent to represent Leal in his criminal trial and paid an additional $1,000 in attorney's fees to respondent. The retainer

[2]. The court takes judicial notice of Peters's official State Bar membership records.

agreement specifically acknowledged that respondent would be the supervising attorney in the case.

Peters testified that he worked on the Leal matter before he substituted into the case and was Leal's attorney prior to the effective date of respondent's actual suspension. Peters further testified that he substituted into the Leal matter by oral motion while making a court appearance with Leal. The court, however, does not find this testimony to be credible. There is nothing in the record of the underlying matter that indicates Peters substituted into the Leal matter, either by written or oral motion, while making any court appearance on behalf of Leal.

Assistant District Attorney Amu Murphy (Murphy) of the Los Angeles County District Attorney's Office was the assigned prosecutor in the Leal criminal matter. Murphy does not recall Peters substituting into the Leal matter and her case file in the Leal matter contains no information of such a substitution. Murphy testified that she examined the superior court file in Leal's matter and did not find a substitution of attorney by Peters in the file.

There is no documentary evidence that Peters filed a substitution of attorney with the court, opposing counsel, or notified Leal in writing that he was substituting into Leal's matter. And the court docket in Leal's matter does not indicate that Peters ever attempted to substitute into the matter by way of written or oral motion to the court.

As of May 23, 2011, Solis had paid respondent a total of $6,900 in attorney's fees for Leal's criminal matter. Respondent, however, did not receive Leal's informed written consent that respondent could accept payment from Solis in his criminal matter.

Both respondent and Peters testified that the standard of practice in the criminal defense field is to accept payment of fees from family members without first obtaining the consent of the client. To support their claim, both respondent and Peters pointed out that they relied on the standard retainer agreement provided by the State Bar, which until recently did not mention

anything about rule 3-310(F). Both were amazed when they first learned that the rule was being applied to criminal defense counsel. Now, both respondent and Peters have included rule 3-310(F) information in their standard retainer agreements.

On or about June 14, 2011, respondent and Paul Peters met with Solis to discuss the evidence in Leal's criminal matter. Respondent and Peters testified that respondent appeared at the meeting at Peters's request to take notes at the meeting. Respondent testified that he did not enter into any discussion during the meeting and that he just took notes. Solis, on the other hand, credibly testified that respondent was a participant in the meeting, talking and giving advice, and that neither she nor Leal were aware that respondent had been suspended from the practice of law or that Peters was now in charge of Leal's case.

The court does not find respondent's testimony on this subject to be credible. Respondent's assertion that he was only taking notes and did not speak is rebutted by his March 14, 2012 letter to the State Bar. In the letter, respondent refers to the June 14th meeting and identifies Peters as an attorney in his office who was "helping out" in the case. Additionally, respondent repeatedly writes that "we" explained certain facts to Solis and "we both asked her to help us help Frankie . . . ." "Once again: Help us help him," we said."

Respondent did not provide Leal written notice of respondent's suspension from the practice of law by June 26, 2011, as required by the 9.20 order. Respondent did not provide the district attorney in Leal's criminal matter with written notice that he had been suspended from the practice of law by June 26, 2011, as required by the 9.20 order.

As of July 6, 2011, respondent filed an Affidavit of Compliance with the State Bar Court stating under penalty of perjury that he had fully complied with rule 9.20, subdivisions (a) and (c), as required by the 9.20 order. As illustrated above, respondent's affirmation was false and misleading.

On or about July 9, 2011, Solis sent a letter to respondent terminating his services and requesting a refund of the $6,900 in attorney's fees paid to respondent. Respondent received the letter, but did not respond or return the $6,900 to Solis.[3] Respondent also did not provide Leal or Solis with an accounting.

On or about July 11, 2011, attorney Babak B. Farahan substituted in as counsel of record in Leal's criminal matter.

**Conclusions**

***Count One - § 6106 [Moral Turpitude]***

Section 6106 provides, in part, that the commission of any act involving dishonesty, moral turpitude, or corruption constitutes cause for suspension or disbarment. The court finds that there is clear and convincing evidence that respondent willfully committed an act of moral turpitude, dishonesty, or corruption, in violation of section 6106, by filing a false and misleading affidavit of compliance pursuant to rule 9.20.

***Count Two - Rule 4-100(B)(3) [Failure to Account]***

Rule 4-100(B)(3) provides that an attorney must maintain records of all client funds, securities, and other properties coming into the attorney's possession and render appropriate accounts to the client regarding such property. The court finds that there is clear and convincing evidence that respondent failed to render an appropriate accounting to Leal or Solis, in willful violation of rule 4-100(B)(3), by failing to render an accounting in the Leal matter.

***Count Three – Rule 3-310(F) [Accepting Fees from a Non-Client]***

Rule 3-310(F) provides that an attorney must not accept compensation for representing a client from one other than the client, unless there is no interference with the member's

[3] The State Bar did not allege that respondent failed to refund unearned fees to Solis. It is unclear what, if any, portion of the fees were unearned. Consequently, the court does not have sufficient evidence to recommend restitution to Solis.

independence of professional judgment or with the client-lawyer relationship; information relating to representation of the client is protected as required by section 6068, subdivision (e); and the member obtains the client's informed written consent.

The court finds that there is not clear and convincing evidence that respondent willfully accepted compensation for representing a client from one other than the client. The evidence demonstrates that Solis paid respondent; however, there is nothing in the record to indicate the source of the funds. Consequently, Count Three is dismissed with prejudice.

**Case No. 12-O-12838 – The Alefor Matter**

**Facts**

In or about September 2010, Thelma Cabal (Cabal) retained the Law Offices of Lawrence R. Young and Associates to represent her son, Darwin Alefor (Alefor), in his criminal appeal. Cabal paid Mira an initial retainer fee of $5,000, and subsequently paid an additional $1,000, for a total of $6,000 in attorney's fees paid for Alefor's criminal appeal. Cabal had no contact with respondent, nor did her son have any contact with respondent.

Respondent did not receive Alefor's informed written consent that respondent could accept payment from Cabal in Alefor's criminal matter. At the time Cabal retained respondent's law office to represent her son, Alefor was already represented in his appeal by another law group. Cabal informed Mira of the other law group. However, according to Cabal, respondent's law office never got her son's file from the other law group.

On November 30, 2010, Cabal wrote to respondent's office stating she was unable to make additional payments and was looking for additional funds to pay respondent for her son's criminal appeal.

After receiving no information from respondent's law firm regarding her son's appeal, in January 2011, Cabal stopped payment on an additional retainer payment check that respondent

had yet to deposit. In February 2011, Cabal spoke with a secretary in respondent's office, telling the secretary that she did not trust respondent anymore and that she did not want to pursue the case. According to Cabal, her son never terminated respondent's law office.

On or about July 26, 2011, respondent wrote a letter to Cabal informing her that he was on suspension until November 27, 2011, and informing her that if she wanted to resume Alefor's case, she should contact Paul Peters, the attorney in charge of his old office. Respondent also informed Cabal that if she did not want to continue the appeal, respondent would calculate all unearned fees and provide a statement.

Respondent testified that he did not believe Cabal or Alefor to be his client after February 2011, and therefore he was not obligated to inform Alefor that respondent was being suspended from the practice of law pursuant to the Supreme Court's rule 9.20 order. However, an accounting provided by respondent to Cabal indicates that respondent's law office was continuing to bill time in the Alefor matter in April and May 2011.

On or about August 21, 2011, Cabal wrote a letter to respondent asking for a full refund of the $6,000 in fees she had paid him. Respondent received the letter but did not provide a refund. In her letter, Cabal informed respondent that the funds used to pay respondent in her son's matter were funds which she borrowed from her children.

On or about September 14, 2011, Cabal filed a small claims court action against respondent seeking the return of the attorney's fees paid to respondent. On or about October 7, 2011, Cabal received a letter from respondent dated August 22, 2011, informing her that he was no longer practicing law. This letter included an accounting in the Alefor matter.

According to his accounting, respondent owed Cabal/Alefor at least $3,335 in unearned attorney's fees. Respondent also informed Cabal that she may have a reimbursement coming to her which the office needed to discuss with her.

On or about October 14, 2011, respondent and Cabal appeared at a hearing in the small claims court action. On or about March 16, 2012, the small claims court awarded $3,500 plus $60 in costs to Cabal. The court instructed respondent to pay Cabal $500 a month starting on April 15, 2012, until the $3,560 was paid in full.

On or about May 4, 2012, respondent paid Cabal $500. On or about July 24, 2012, respondent paid Cabal $250. On or about August 20, 2012, respondent paid Cabal another $250. There is no indication in the record that respondent made any subsequent payments to Cabal.

Respondent did not comply with rule 9.20, subdivision (a)(1), with respect to the Alefor matter, as respondent did not notify Alefor or Cabal of his actual suspension by June 26, 2011. Respondent did not comply with rule 9.20, subdivision (a)(3) with respect to the Alefor matter, as respondent did not refund unearned fees by June 26, 2011. As a result, respondent's Affidavit of Compliance filed on July 6, 2011, was materially false.

**Conclusions**

***Count Four - § 6106 [Moral Turpitude]***

There is clear and convincing evidence that respondent willfully committed an act of moral turpitude, dishonesty, or corruption, in violation of section 6106, by filing a false and misleading affidavit of compliance pursuant to rule 9.20. However, since this misconduct relies on the same misconduct that was reflected in Count One, i.e. filing a false and misleading rule 9.20 affidavit, the court does not assign additional weight to Count Four.

***Count Five - Rule 3-700(D)(2) [Failure to Return Unearned Fees]***

Rule 3-700(D)(2) requires an attorney, upon termination of employment, to promptly refund any part of a fee paid in advance that has not been earned. By failing to promptly return unearned fees to Cabal, respondent failed to promptly refund any part of a fee paid in advance that had not been earned, in willful violation of rule 3-700(D)(2).

***Count Six – Rule 3-310(F) [Accepting Fees from a Non-Client]***

There is clear and convincing evidence that respondent willfully accepted compensation for representing a client from one other than the client, in violation of rule 3-310(F), by accepting funds from Cabal to represent Alefor in his criminal matter without the required written consent. The source of the funds paid to respondent by Cabal to represent Alefor were funds borrowed by Cabal from family members.

**Aggravation**[4]

**Prior Record of Discipline (Std. 1.2(b)(i).)**

Respondent has a record of five prior disciplinary actions.

On August 14, 1989, pursuant to Supreme Court Order S006505, respondent was suspended from the practice of law for five years, execution of suspension was stayed, and he was placed on probation for five years, with a four-year period of actual suspension. Respondent's suspension was based on a felony conviction for being an accessory to a felony. The Supreme Court found that respondent's misconduct involved moral turpitude and violations of sections 6103 and 6068, subdivision (a).

On August 28, 1991, pursuant to Supreme Court Order S021593, respondent was suspended from the practice of law for two years, execution of suspension was stayed, and he was placed on probation for two years, with a sixty-day actual suspension. In this contested matter, the State Bar Court found that respondent committed moral turpitude by misappropriating a client's settlement funds. Respondent's misconduct also constituted a willful violation of his oath and duties as an attorney. In aggravation, respondent had a prior record of discipline and his misconduct significantly harmed his clients. In mitigation, respondent was

[4] All references to standards (Std.) are to the Rules of Procedure of the State Bar, title IV, Standards for Attorney Sanctions for Professional Misconduct.

candid and cooperative in the State Bar proceeding, respondent acknowledged his wrongdoing and made sincere efforts at restitution and rehabilitation, and respondent was prejudiced by a delay in his proceeding.

On September 9, 1993, pursuant to Supreme Court Order S033673, respondent was suspended from the practice of law for ten days, execution of suspension was stayed, and he was placed on probation for one year. In this single-client matter, respondent stipulated to a violation of rule 3-110(A). In aggravation, respondent had a record of two prior disciplines. In mitigation, respondent's misconduct did not harm his client, he was candid and cooperative in the State Bar proceeding, and he displayed spontaneous candor and cooperation to the victim of his misconduct.

On March 11, 2010, pursuant to Supreme Court Order S179430, respondent was suspended from the practice of law for one year, execution of suspension was stayed, and he was placed on probation for three years, including a thirty-day period of actual suspension. Respondent's suspension was based on his misdemeanor criminal conviction for a violation of Vehicle Code section 23152, subd. (a) [Driving under the influence of alcohol].[5] In a contested State Bar Court hearing, the court found in aggravation that respondent had three prior records of discipline. In mitigation, respondent's misconduct did not cause any specific harm to the public, the courts, or a client; his good character evidence was overwhelming; he had a high level of work ethic and dedication to his clients; he presented impressive pro-bono and volunteer evidence; he was candid and cooperative in the State Bar proceeding; and he showed remorse and recognition of wrongdoing.

On April 27, 2011, pursuant to Supreme Court Order S190815, respondent was suspended from the practice of law for two years, execution of suspension was stayed, and he

[5] This was respondent's third conviction for driving under the influence of alcohol.

was placed on probation for three years, including a six-month period of actual suspension. In this matter, respondent stipulated to misconduct in three matters. Respondent's misconduct included violations of rules 3-110(A), 3-700(D)(2), and 4-100(A); and sections 6106 and 6068, subd. (m). In addition, respondent was ordered to return unearned fees in the amount of $10,000 to a client. In aggravation, respondent had a record of four prior disciplines and his misconduct evidenced multiple acts of wrongdoing. In mitigation, respondent was given credit for his good character evidence and his pro-bono activities in the community.

**Multiple Acts/Pattern of Misconduct (Std. 1.2(b)(ii).)**

Respondent was found culpable of five acts of misconduct. Multiple acts of misconduct are an aggravating factor.

**Respondent's Uncharged Misconduct**

Evidence of uncharged misconduct may be considered in aggravation where the evidence is elicited for a relevant purpose and where the determination of uncharged misconduct is based on the attorney's own evidence. (*Edwards v. State Bar* (1990) 52 Cal.3d 28, 35-36.)

***Violation of Section 6068, Subd. (d)***

During the trial in this matter, respondent testified on numerous occasions that he authorized his office staff to sign his name on numerous documents, including court pleadings and declarations submitted to the superior court. The court finds by clear and convincing evidence that respondent willfully misled the superior court, in violation of section 6068, subdivision (d), by authorizing and permitting his office staff to sign his name to letters and court pleadings, including declarations filed with the superior court.

***Alleged Misconduct in the Silvas Matter***

The State Bar put on rebuttal witnesses who testified regarding respondent's alleged misconduct in the Albert Silvas matter. However, the evidence of the alleged misconduct was

not based on respondent's own evidence and he did not have an adequate opportunity to prepare a defense. Consequently, the court declines to consider any of the alleged uncharged misconduct in the Silvas matter as a factor in aggravation.

**Mitigation**

**Candor/Cooperation to Victims/State Bar (Std. 1.2(e)(v).)**

Respondent entered into an extensive stipulation as to facts and admission of documents in this matter and is entitled to mitigation for his cooperation.

**Charitable Work**

For more than 20 years respondent was the leading figure at Adams Harbor Food Kitchen at St. John's Cathedral in Los Angeles. Shortly after retiring from service at Adams Harbor Food Kitchen, respondent founded the Café Del Rey Food Kitchen in Los Angeles.

In addition, Respondent is currently president of the board of directors of St. Johns Well Child & Family Center, which provides health care for approximately 173,000 residents of the Los Angeles area. Respondent's extensive charitable activities are strong evidence of good character and warrant significant consideration in mitigation. (Cf. *In the Matter of Distefano* (Review Dept. 1991) 1 Cal. State Bar Ct. Rptr. 668,675.)

## Discussion

Standard 1.3 provides that the primary purposes of disciplinary proceedings "are the protection of the public, the courts, and the legal profession; the maintenance of high professional standards by attorneys and the preservation of public confidence in the legal profession."

Standard 1.6(a) provides, in pertinent part, that when two or more acts of misconduct are found in a single disciplinary proceeding, and different sanctions are prescribed for those acts, the recommended sanction is to be the most severe of the different sanctions.

Standard 1.6(b) provides, in pertinent part, that the specific sanction for the particular violation found must be balanced with any mitigating or aggravating circumstances, with due regard for the purposes of imposing disciplinary sanctions.

Standard 1.7(b) provides that, if an attorney has two prior records of discipline, the degree of discipline in the current proceeding must be disbarment unless the most compelling mitigating circumstances clearly predominate. Standard 1.7(b), however, has not been rigidly applied by the courts. The Supreme Court and Review Department have generally found disbarment to be appropriate under standard 1.7(b) when there is a repetition of offenses for which an attorney has previously been disciplined that demonstrate a pattern of misconduct. (*Morgan v. State Bar* (1990) 51 Cal.3d 598, 607; *In the Matter of Shalant* (Review Dept. 2005) 4 Cal. State Bar Ct. Rptr. 829, 842.)

Standard 2.2(b) provides that commingling or another violation of rule 4-100 must result in at least a three-month period of actual suspension, irrespective of mitigating circumstances.

Standard 2.3 provides that culpability of an act of moral turpitude, fraud or intentional dishonesty, or of concealment of a material fact, must result in actual suspension or disbarment depending upon the degree of harm to the victim, the magnitude of the misconduct, and the extent to which it relates to the member's practice of law.

The standards, however, "do not mandate a specific discipline." (*In the Matter of Van Sickle* (Review Dept. 2006) 4 Cal. State Ct. Rptr. 980, 994.) It has long been held that the court is "not bound to follow the standards in talismanic fashion. As the final and independent arbiter of attorney discipline, [the Supreme Court is] permitted to temper the letter of the law with considerations peculiar to the offense and the offender." (*Howard v. State Bar* (1990) 51 Cal.3d 215, 221-222.) Yet, while the standards are not binding, they are entitled to great weight. (*In re Silverton* (2005) 36 Cal.4$^{th}$ 81, 92.)

The State Bar urges that respondent should be disbarred from the practice of law based on respondent's misconduct in this matter and his prior record of discipline. The court agrees.

Respondent has been previously disciplined on five separate occasions. Despite his extensive involvement with the disciplinary system, respondent continues to demonstrate an unwillingness or inability to conform his behavior to the ethical demands of the profession. (*Arden v. State Bar* (1987) 43 Cal.3d 713, 728.) Additionally, respondent has been disciplined for misconduct involving moral turpitude on three previous occasions. Consequently, respondent should have had a heightened awareness and sensitivity regarding acts potentially involving dishonesty, moral turpitude, or corruption.

The court has grave concerns as to whether another round of disciplinary probation would adequately satisfy the interests of public protection. Respondent's past probations and suspensions were not able to prevent the present misconduct; and respondent's present misrepresentations on his 9.20 compliance affidavit give no assurance that he recognizes and appreciates the serious nature of disciplinary probation. These concerns give the court little justification to recommend a level of discipline short of disbarment.

Therefore, having considered the nature and extent of the misconduct, the aggravating and mitigating circumstances, as well as the case law, the court finds that respondent's disbarment is necessary to protect the public, the courts, and the legal community; to maintain high professional standards; and to preserve public confidence in the legal profession.

## Recommendations

It is recommended that respondent **LAWRENCE R. YOUNG**, State Bar Number 038323, be disbarred from the practice of law in California and respondent's name be stricken from the roll of attorneys.

**Restitution**

The court also recommends that respondent be ordered to make restitution to Thelma Cabal in the amount of $2,560 plus 10 percent interest per year from April 15, 2012. Any restitution owed to the Client Security Fund is enforceable as provided in Business and Professions Code section 6140.5, subdivisions (c) and (d).

**California Rules of Court, Rule 9.20**

It is further recommended that respondent be ordered to comply with the requirements of rule 9.20 of the California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the effective date of the Supreme Court order in this proceeding. Failure to do so may result in disbarment or suspension.

**Costs**

It is recommended that costs be awarded to the State Bar in accordance with Business and Professions Code section 6086.10, and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

## Order of Involuntary Inactive Enrollment

Respondent is ordered transferred to involuntary inactive status pursuant to Business and Professions Code section 6007, subdivision (c)(4). Respondent's inactive enrollment will be effective three calendar days after this order is served by mail and will terminate upon the effective date of the Supreme Court's order imposing discipline herein, or as provided for by rule 5.111(D)(2) of the State Bar Rules of Procedure, or as otherwise ordered by the Supreme Court pursuant to its plenary jurisdiction.

Dated: May 13, 2013

RICHARD A. PLATEL
Judge of the State Bar Court